



STATE OF CONNECTICUT
OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
60B WESTON STREET, HARTFORD, CONNECTICUT 06120-1551

James D. McGaughey
Executive Director

Phone 1/860-297-4307
Confidential Fax 1/860-297-4305

**Testimony of the Office of Protection and Advocacy for Persons with Disabilities
Before the Judiciary Committee**

Submitted by James D. McGaughey
Executive Director
April 5, 2013

Good morning and thank you for this opportunity to comment on **Raised Bill No. 6682, An Act Concerning Collaboration Between Boards of Education and Law Enforcement Personnel**. This bill would require those school systems that have agreements with police agencies to assign specific officers (commonly called School Resource Officers –SROs), or to otherwise operate within their schools, also have specific policies or memoranda of agreement which define the expectations for police interventions with students. More specifically, the policies or memoranda: “...shall include provisions addressing daily interactions between students and school personnel with law enforcement personnel and the use of a graduated response model for student discipline.” For the reasons outlined below, our Office supports this measure.

From the perspective of advocates for students with disabilities, the expanding presence of police in public schools has proven to be a decidedly mixed blessing. Some published studies suggest that the presence of police in schools does, in fact, reduce the potential for violence, weapons, and gang-related activity, resulting in greater safety. However, there are also studies which demonstrate that increased police presence has led to an increase in school-based arrests for relatively minor infractions of school rules, supplanting the development of more appropriate disciplinary and counseling responses from school personnel, and launching many students with adolescent acting-out behaviors down the slippery slope toward involvement in the criminal justice system, quite possibly as a career.

In our agency’s experience advocating for students with mental health and behavior- related disabilities, the risk of arrest for inappropriate, but not dangerous behaviors is very real. I am not referring to clearly criminal behavior, such as bringing a weapon to school or committing a premeditated attack on someone. But, I am aware of situations where a student who was dealing with some significant stress in his or her life has gotten upset, run afoul of a “zero tolerance” rule and been arrested and charged with “breach of peace” for things like kicking a hole in wall, or yelling something inappropriate at a teacher and throwing some books onto the floor. Instead of referrals for counseling, consideration of possible eligibility for special education and related services, and the imposition of administrative consequences based on graduated disciplinary response and/or the “restorative justice” models, those students have been handcuffed and treated like young criminals. Evidence is mounting that school based arrests for violations of “zero tolerance” rules is a major contributor to the “school to prison pipeline”, a phenomena which ensnares far too many students of color in a cycle of rejection, negative self-perception, academic failure and incarceration.

As with other issues like bullying, excessive amounts of suspension, and unacceptable rates of academic failure, addressing the school to prison pipeline requires attention to what educators have come to refer to as “school climate”. If the climate is harsh and rejecting, if the adults in the building treat each other and their students with disrespect, if low expectations are pervasive, students will fail, and SROs assigned to that building will inevitably become involved as “enforcers” in that vortex of failure. If, however, zero tolerance policies are replaced by fair, graduated disciplinary policies; if there is a commitment amongst all adults – including the SROs - to treat everyone with respect, if there are expectations that students will succeed, and if there is sufficiently strong leadership (and motivated followership), then SROs can be included as partners in developing a positive school climate.

If, as seems inevitable, police presence in public schools is destined to increase, requiring explicit policy statements and/or memoranda of agreement between boards of education and police agencies will help limit the potential for unintended consequences. I urge you to support this measure. If there are any questions about our Office’s position on this matter, please feel free to contact me.